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11 Biotechnologies, Inc.

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 JOE HUANG, INDIVIDUALLY AND ON  
16 BEHALF OF ALL OTHERS SIMILARLY  
17 SITUATED,

18 Plaintiffs,

19 vs.

20 AVALANCHE BIOTECHNOLOGIES, INC.,  
21 THOMAS W. CHALBERG, JR., AND LINDA C.  
22 BAIN,

23 Defendants.

24 JEFFREY GALERMAN, Individually and on  
25 Behalf of All Others Similarly Situated,

26 Plaintiffs,

27 vs.

28 AVALANCHE BIOTECHNOLOGIES, INC.,  
29 THOMAS W. CHALBERG, JR., and LINDA C.  
30 BAIN,

31 Defendants.

32 MARK MONDANARO, Individually and on  
33 Behalf of All Others Similarly Situated,

34 Plaintiffs,

35 vs.

36 AVALANCHE BIOTECHNOLOGIES, INC.,  
37 THOMAS W. CHALBERG, JR., and LINDA C.  
38 BAIN,

39 Defendants.

40 Case No. 3:15-cv-03185-SC

41  
42 **JOINT STIPULATION AND**  
43 ~~PROPOSED ORDER~~  
44 **CONSOLIDATING RELATED**  
45 **ACTIONS; SETTING THE TIME FOR**  
46 **DEFENDANTS' RESPONSE TO**  
47 **PLAINTIFFS' CONSOLIDATED**  
48 **COMPLAINT AND ANY RELATED**  
49 **BRIEFING; AND STAYING**  
50 **DISCOVERY AND OTHER**  
51 **ACTIVITIES**

52 Case No. 3:15-cv-03231-BLF

53 Case No. 3:15-cv-03281-RMW

1 Pursuant to Fed. R. Civ. P. 16, Civil L.R. 23-1(b), and Manual for Complex Litigation,  
2 Fourth §§ 11.12, 11.21 and 31 (2004), the parties stipulate, and the Court hereby orders, as  
3 follows:

4 **CONSOLIDATION OF RELATED CASES**

5 1. The actions listed on Exhibit A are related cases within the meaning of Civil L.R.  
6 3-12. Pursuant to Fed. R. Civ. P. 42(a), these cases are hereby consolidated into Civil Action No.  
7 15-cv-03185-SC for pretrial proceedings before this Court. The consolidated action shall be  
8 captioned: *In re Avalanche Biotechnologies Securities Litigation*.

9 2. All related actions that are subsequently filed in, or transferred to, this District shall  
10 be consolidated into this action for pretrial purposes. This Order shall apply to every such related  
11 action, absent order of the Court. Any party that objects to such consolidation, or to any other  
12 provision of this Order, must file an application for relief from this Order within thirty (30) days  
13 after the date on which a copy of the order is mailed to the party's counsel, pursuant to Paragraph  
14 7, *infra*.

15 3. This Order is entered without prejudice to the rights of any party to apply for  
16 severance of any claim or action, for good cause shown.

17 **MASTER DOCKET AND CAPTION**

18 4. The docket in Civil Action No. 15-cv-03185-SC shall constitute the Master Docket  
19 for this action.

20 5. Every pleading filed in the consolidated action shall bear the following caption:

22 **UNITED STATES DISTRICT COURT**  
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 In re AVALANCHE BIOTECHNOLOGIES  
25 SECURITIES, LITIGATION

Master File No.

15-cv-03185-SC

26  
27 CLASS ACTION  
28

This Document Relates To:

1       6. The file in Civil Action No. 15-cv-03185-SC shall constitute a Master File for  
2 every action in the consolidated action. When the document being filed pertains to all actions, the  
3 phrase “All Actions” shall appear immediately after the phrase “This Documents Relates To.”.  
4 When a pleading applies only to some, not all, of the actions, the document shall list, immediately  
5 after the phrase “This Documents Relates To:”, the docket number for each individual action to  
6 which the document applies, along with the last name of the first-listed plaintiff in said action  
7 (e.g., “Civil Action No. 15-cv-03185-SC (Huang)”).

8       7.       The parties shall file a Notice of Related Cases pursuant to Civil L.R. 3-12  
9 whenever a case that should be consolidated into this action is filed in, or transferred to, this  
10 District. If the Court determines that the case is related, the clerk shall:

11 (a) place a copy of this Order in the separate file for such action;  
12 (b) serve on plaintiff's counsel in the new case a copy of this Order;  
13 (c) direct that this Order be served upon defendants in the new case; and  
14 (d) make the appropriate entry in the Master Docket.

## **LEAD PLAINTIFF'S COUNSEL**

16        8.        After the Court has designated a Lead Plaintiff, pursuant to 15 U.S.C. § 78u-  
17        4(a)(3)(B), the Lead Plaintiff shall designate a law firm or firms to serve as Lead Plaintiff's  
18        Counsel, pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v). Lead Plaintiff's Counsel shall have authority  
19        to speak for, and enter into agreements on behalf of, plaintiffs in all matters regarding pretrial  
20        procedures, discovery, and settlement negotiations. Lead Plaintiff's Counsel shall manage the  
21        prosecution of this litigation to avoid duplicative or unproductive activities. Lead Plaintiff's  
22        Counsel shall be responsible for coordination of all activities and appearances on behalf of  
23        plaintiffs and for dissemination of notices and orders. Lead Plaintiff's Counsel shall be  
24        responsible for communications with the Court. Lead Plaintiff's Counsel shall maintain a master  
25        service list of all parties and counsel.

26 9. Defendants' counsel may rely upon agreements made with Lead Plaintiff's  
27 Counsel. Such agreements shall be binding on all plaintiffs.

## **PLEADINGS, MOTIONS, AND OTHER ACTIVITIES**

2       10. Defendants are not required to respond to the complaints filed in any action  
3 consolidated into this action, other than a consolidated complaint or a complaint designated as the  
4 operative complaint by the Lead Plaintiff.

5        11. Lead Plaintiff shall file a consolidated complaint within sixty (60) days after the  
6 order designating the Lead Plaintiff is entered, unless otherwise agreed upon by the parties. The  
7 consolidated complaint shall be the operative complaint and shall supersede all complaints filed in  
8 any of the actions consolidated herein.

9       12. Defendants shall respond to the consolidated complaint within sixty (60) days after  
10 service, unless otherwise agreed upon by the parties. If defendants file any motions directed at the  
11 consolidated complaint, the opposition and reply briefs shall be filed within forty-five (45) days  
12 and seventy-five (75) days, respectively, of that response, unless otherwise agreed upon by the  
13 parties.

14       13. Apart from any briefing relating to the selection of the lead plaintiff and lead  
15 plaintiff's counsel, all discovery and other activities shall be stayed until after Defendants respond  
16 to the consolidated complaint and after any briefing related to Defendants' response to the  
17 consolidated complaint, unless otherwise agreed upon by the parties or ordered by the Court.

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1 DATED: September 2, 2015

Respectfully submitted,

2 MUNGER, TOLLES & OLSON LLP

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By: /s/ Adam I. Kaplan

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*Attorneys for Defendant Avalanche  
Biotechnologies, Inc.*

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DATED: September 2, 2015

THE ROSEN LAW FIRM, P.A.

14

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*Attorneys for Plaintiff Joe Huang*

1 DATED: September 2, 2015

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3 By:

*/s/ Robert V. Prongay*

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9 *Attorneys for Plaintiff Mark Mondanaro*

10 DATED: September 2, 2015

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12 By:

*/s/ Jennifer Pafiti*

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27 *Attorneys for Plaintiff Jeffrey Galerman*

1 **Filer's Attestation**  
2

3 I, Adam I. Kaplan, am the ECF user whose identification and password are being used to  
4 file this JOINT STIPULATION AND PROPOSED ORDER. I hereby attest that the other above-  
5 named signatories concur in this filing.  
6

7 DATED: September 2, 2015

8 By: /s/ Adam I. Kaplan  
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12 ADAM I. KAPLAN

13 THE FOREGOING STIPULATION  
14 IS APPROVED AND IS SO ORDERED.  
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16 DATED: 09/22/2015

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30 United States District Judge

## **EXHIBIT A**

**Exhibit A**

1. *Joe Huang, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain, Case No. 3:15-cv-03185-SC (filed July 9, 2015)*
2. *Jeffrey Galerman, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain, Case No. 3:15-cv-03231-BLF (filed July 13, 2015)*
3. *Mark Mondanaro, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain, Case No. Case No. 3:15-cv-03281-RMW (filed July 14, 2015)*